

REMARKS

Claims 1-10 are amended hereby. Claims 11-14 are cancelled. Claims 15-17 are newly added. Accordingly, after entry of this Amendment, claims 1-10 and 15-17 will remain pending.

In the Office Action dated February 7, 2006, the Examiner rejected claims 1-14 under 35 U.S.C. § 102(b) as being anticipated by Marvin et al. (U.S. Patent No. 6,761,987). The Applicant respectfully disagrees with the rejection and, therefore, respectfully traverses the same.

Since claims 11-14 have been cancelled, the Applicant respectfully submits that the rejection of claims 11-14 has been rendered moot. Accordingly, the Applicant respectfully requests that the Examiner withdraw the rejection asserted against claims 11-14.

Claims 1-10 are patentably distinguishable over Marvin et al. because the claims recite an electronic apparatus to which a fuel cell unit is attachable where the electronic apparatus combines a number of features including, among them, a first control section to instruct the fuel cell unit to charge the secondary battery using power supplied from the fuel cell in a case where a capacity of the secondary battery is smaller than a first value when a power supply of the electronic apparatus is turned off and a second control section to instruct the fuel cell unit to start up when a power supply of the electronic apparatus is turned on, the fuel cell unit driving the auxiliary mechanism for the fuel cell using power charged in the secondary battery in response to the instruction of the start-up. Marvin et al. does not describe at least these features. As a result, Marvin et al. does not describe each and every feature of the claims and, therefore, cannot be relied upon to anticipate any of claims.

Similarly, claims 15-17 are patentably distinguishable over Marvin et al. because the claims recite an electronic apparatus to which a fuel cell is attachable, the electronic apparatus combining a number of features including, among them, a first control section to display information on a first screen indicating whether or not a capacity of the secondary battery is smaller than a preset value, a second control section to display information on a second screen in which at least one of a capacity of the secondary battery to be achieved and a time period to be charged is settable, and a third control section to instruct the fuel cell unit to charge the secondary battery in accordance with a content set on the second screen when the at least one of the capacity of the secondary battery to be achieved and the time period to be charged is set on the second screen, and turn off a power supply of the electronic apparatus after the charging is completed. As with claims 1-10, Marvin et al. does not describe each

and every feature as recited by claims 15-17 and, therefore, cannot be relied upon to anticipate claims 15-17.

Marvin et al. describes a fuel cell system having an energy source backup. The apparatus described by Marvin et al. is a fuel cell system 10 that includes a fuel cell stack 12 to produce power for a load 20. (Marvin et al. at col. 2, lines 46-49.) The load 20 may include various power consuming household devices that consume power from the fuel cell system 10. (Marvin et al. at col. 2, lines 49-56.) The fuel cell system 10 includes an energy source, such as a battery 22, to supplement the power furnished by the fuel cell when a power transient occurs. (Marvin et al. at col. 3, lines 52-57.) A circuit 24 switches between the battery 22 and the fuel cell stack 12 to keep the voltage V_s within a predefined range. (Marvin et al. at col. 3, lines 60-65.) In some embodiments, when the battery 22 is not connected to the node 33, the controller 40 activates a charger 32 to charge the battery 22. (Marvin et al. at col. 4, lines 40-43.) The controller 40 may base activation of the charger 32 on a monitored stack voltage that is provided by a cell voltage measuring circuit 36. (Marvin et al. at col. 4, lines 44-47.)

As a preliminary matter, the Applicant notes that Marvin et al. does not concern an electronic apparatus (*i.e.*, a portable electronic apparatus) to which a fuel cell unit is attachable. To the contrary, Marvin et al. concerns a fuel cell system from which electronic appliances may draw power (*i.e.*, household devices). At least in part because Marvin et al. is directed to a fuel cell system 10 that provides power for a household, for example, there are appreciable differences between the system 10 described in the reference and the present invention. One of those differences is that Marvin et al. does not describe a first control section to instruct the fuel cell unit to charge the secondary battery using power supplied from the fuel cell in a case where a capacity of the secondary battery is smaller than a first value when a power supply of the electronic apparatus is turned off. In addition, Marvin et al. does not describe a second control section to instruct the fuel cell unit to start up when a power supply of the electronic apparatus is turned on, the fuel cell unit driving the auxiliary mechanism for the fuel cell using power charged in the secondary battery in response to the instruction of the start-up. As a result, Marvin et al. cannot be relied upon to anticipate any of claims 1-10.

With respect to claims 15-17, the Applicant repeats that Marvin et al. does not concern an electronic apparatus (*i.e.*, a portable electronic apparatus) to which a fuel cell unit is attachable. At least in part due to this, Marvin et al. does not describe a first control section

to display information on a first screen indicating whether or not a capacity of the secondary battery is smaller than a preset value. In addition, Marvin et al. does not describe a second control section to display information on a second screen in which at least one of a capacity of the secondary battery to be achieved and a time period to be charged is settable. Finally, Marvin et al. does not describe a third control section to instruct the fuel cell unit to charge the secondary battery in accordance with a content set on the second screen when the at least one of the capacity of the secondary battery to be achieved and the time period to be charged is set on the second screen, and turn off a power supply of the electronic apparatus after the charging is completed. Accordingly, the Applicant respectfully submits that Marvin et al. cannot be relied upon to anticipate any of claims 15-17.

In view of the foregoing, the Applicant respectfully requests that the Examiner reconsider the rejection of claims 1-10 and consider new claims 15-17. After reconsidering the rejection asserted, the Applicant respectfully requests that the Examiner withdraw the rejection and pass this application quickly to issue.

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Respectfully submitted,

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